

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Morton Willcutts, Jr.,

Civil No. 06-2932 (RHK/SRN)

Petitioner,

ORDER

v.

R.L. Morrison,

Respondent.

Before the Court are Petitioner's Objections to the August 11, 2006, Report and Recommendation of Magistrate Judge Susan Richard Nelson. The undersigned has conducted the required de novo review of the record related to Petitioner's Objections.

Based upon the de novo review and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Petitioner's Objections (Doc. No. 9) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 7) is **ADOPTED**;
3. Petitioner's Motion for an Enlargement of Time (Doc. No. 6) is **DENIED**; and
4. Based on Petitioner's failure to comply with the conditions of this Court's July 10, 2006 Order, Petitioner's action is **DISMISSED WITHOUT PREJUDICE**.¹

Dated: September 18, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge

¹According to Petitioner, a check for the filing fee has been returned to this account.